1944.

File No. L.R.C. Bom II/44

Legal Department

B BRANCH

Subject:—

Rules and Notifications under the Bombay Land Revenue Code.

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1944

File No, L.R.C. Bom II/44

Gen. 194 s.

105-

Office of the R.L.A.

The rules in Government Notification, Revenue Department, No. 8459, dated 26th March 1883 were framed by all the Commissioners. Rule 5 was added to Part I thereof by Commissioner, Southern Division, and published in Government Notification, Revenue Department, No. 8714, dated 16th September 1911. The Commissioner, Southern Division, therefore, should delete that rule. It is not necessary to issue a Government notification for the purpose.

The requisite draft notification is sent herewith.

Sd/- 21/1/44

Remembrancer of Legal Affairs.

U.R. to A.D., No., 872, dated the 21st January 1944.

4 c.
V.R.K.
12/7/56

In exercise of the powers conferred by sec. 152 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the Commissioner, ~~Northern~~ Southern Division, is pleased, with the sanction of the Government of Bombay, to delete rule 5 framed by him and published in Government Notification in the Revenue Department, No. 8714, dated the 16th September 1911.

Commissioner, Southern Division.

4 c.
V.H.K.
12/7/66

Office of the R.L.A.

Paras 1 and 3 of A.D. note at p. 205:-

The Commissioner Northern Division seems to be inclined to the view that the present rule 76 does not apply to occupied unalienated lands "not assessed for any purpose". This view receives some support from the reference to "existing assessment", in clause (b)(ii) and "the survey assessment which was chargeable upon it immediately before etc.", in clause (b)(iii) of sub-rule (2) of rule 76. If it is now intended to cover occupied unalienated lands not assessed for any purpose along with other lands, there is no objection to adding the words "whether assessed for many purpose or not" as proposed by the Comm. N.D. In the case of land which is not assessed for any purpose, it is presumed that the non-agricultural assessment leviable under proposed rule 76(2) would be fixed in accordance with section 52 of the Land Revenue Code read with rule 14 of the Land Revenue Rules. In other cases the non-agricultural assessment would be fixed under sections 65 to 67 read with section 48 and the relevant rules. It is not necessary to refer to these sections specifically in the proposed rule 76.

Id/- P.K.K.
7/2/44

Remembrancer of Legal Affairs.

U.R. to A.D., No. 1027, dated the 7th February 1944.

4 c.
V.R.K.
12/7/56

R.I. No. 77-Confl., dated 4-3-44.

Submitted with reference to R.D. office note on p. 27 ante.

2. It is proposed in these papers to introduce the Record of Rights in the Khoti and Khoti-inam Villages in the Ratnagiri District. A draft notification (at p.26 ante) for this purpose is sent to the R.L.A. for scrutiny.

3. The Khoti and Khoti-inam Villages were exempted under sec. 17 of the Bombay Land Record-of-rights Act, 1903, from the operation of the said Act by entry No. (3) in G.N., R.D., No. 263, dated the 12th January 1904 (at p. 91 of the R.D.Volume No. 316 of 1904 put up below) The Bombay Land Record-of-rights Act, 1903, (Bom. IV of 1903), has been repealed by sec. 2 of the Bombay Land Revenue (Amendment) Act, 1913 (Bom. IV of 1913), and * to sec. 17 of the Bombay Land Record-of-rights Act, 1903. Accordingly the draft notification at p. 28 ante proposed by R.D. withdrawing the exemption referred to above, is legally [illegible] in order under the provisions of sec. 135A of the Bombay Land Revenue Code, 1879, read with sec. 21 of the Bombay General Clauses Act, 1904.

* Section 135A of the Bombay Land Revenue Code, 1879, corresponds.

4. The draft notification at p. 28 ante, as formally amended, is in order

Sd/- 13/3/44

Office of the R.L.A.

The draft notification at p.28 ante, as formally amended, is in order.

O.C. Sd/-

for Remembrancer of Legal Affairs.

U.R. to R.D., No. 113-Confl., dated the 22nd March 194

4 c.
V.R.K.
12/7/66

NOTIFICATION

Revenue Department,
Bombay Castle, 1944.

Bombay Land Revenue Code, 1879

No. 9504/33. In exercise of the powers conferred by section 135A of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), and in modification of the Government Notification in the Revenue Department, No. 263, dated the 12th January 1904, by which certain classes of villages and lands were exempted from the operation of the Bombay Land Record-of-rights Act, 1903 (Bom. IV of 1903), the Government of Bombay is pleased to direct that the said order of exemption in so far as it applis to the lands in Khoti and Khoti-Inam villages in Ratnagiri District shall be cancelled and that the previsions of Chapter X-A of the said Code shall apply to the said lands.

By order of the Governor of Bombay,

Sd/- (M.J.Desai)
Secretary to Government.

4 c.
V.R.K.
12/7/56

Office of the R.L.A.

A revised draft notification in place of the R.D. draft notification at pp.11-12 is sent herewith.

2. Instead of new article (6A) as proposed in the R.D. draft a new article (5A) is inserted and all consequential changes have been carried out in the relevant provisions.

x x O.C. Sd/-
13/4/44

Remembarence of Legal Affairs.

U.R. to R.D. No. 2804 dated the 14th April 1944.

4 c.
KV.R.K.
12/7/56

NOTIFICATION

Revenue Department,
Bombay Castle, 1944.

Land Revenue Rule 1921

No. 9394/39.- The following draft of a notification which the Government of Bombay proposes to issue in exercise of the powers conferred by sections 213 and 214 of the Bombay Land Revenue Code, 1879(Bom.V of 1879), is published as required by sub-section (3) of section 214, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration by the Government of Bombay on or after - 1944.

2. Any objection or suggestion which may be received by the Secretary to the Government of Bombay in the Revenue Department from any person with respect to the said draft before the date aforesaid will be considered by Government:-

DRAFT NOTIFICATION

In exercise of the powers conferred by section 213 and 214 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the Government of Bombay is pleased to amend the Land Revenue Rules (1921), as follows, namely:-

In the said rules-

1. In the proviso (a) to rule 139, after the figures "142" the bracket, figure, letter and word "(5A) and" shall be inserted.

2. In clause (a) of rule 142-

(a) In article (2)(c)(11), after the brackets and figure"(5) the brackets, figure and letter "(5A)" shall be inserted;

(b) In Article (2)(g), after the brackets and figure"(5)" the brackets, figure and letter "(5A)' shall be inserted;

4 c.
V.R.K. 12/7/56

(contd). 13

(c) After (5), the following new Article shall be inserted, namely :-

for every certified copy of a map or plan of a non-agricultural survey number or sub-division of such survey number in the Bombay Suburban District Two Rupees."

(d) In Article (6), the words, brackets, figure and letter "not falling under Article (5A) of this table " shall be inserted at the end.

(e) In article (7) after the brackets and figure "(5A)" the brackets figure and letter "(5A) shall be inserted.

By order of the Governer of Bombay,

Secretary to Government.

4 c.
12/7/56
V.K.K.